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REMARKS

These remarks follow the order of the paragraphs of the office action. Relevant portions of the office action are shown indented and italicized.

DETAILED ACTION

Claim Rejections -35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless-

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application, filed under the treaty defined in section 351 (a) shall have the effects for purposes of this subsection of an application filed in the United States only if the International application designated the United States and was published under Article 21(2) of such treaty in be English language.

2. Claims 1-4, 6-10, 12 and 16-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Augenbraun et al. (US Pat App Pub No 2005/0149981).

In response, applicants respectfully state that claims 1-4, 6-10, 12 and 16-18 are not anticipated by Augenbraun. As claimed, "[T]he present invention claimed in claims 1-4, 6-10, 12 and 16-18, provides a method and apparatus to browse the Web without using a web browser. The application server in a transmitting unit converts a web page transmitted from the Internet into video data and provides links to the video data on the basis of the links provided to the web page. In the video server of the transmitting unit, the video data transmitted from the server is compressed by the MPEG2 encoders, and sent with information about the links provided to the video data. A 'Set-Top Box', of the receiving terminal outputs the received video data to a display, and establishes an association between the links provided to the video data and a position of a cursor displayed on the screen of the display." Thus with the invention claimed in claims 1-4, 6-10, 12 and 16-18, there is no web browser used for browsing the web.

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The cited art of Augenbraun et al., US Patent Application 20050149981, was filed: July 7, 2005 and is entitled, "System and method for broadcasting web pages and other information." The abstract reads, "A system and method for interactive broadcast of Internet web pages, or the like, on dedicated downstream channels in a cable television system or the like facilitates hyperlinking by a user from a broadcast television program to a web page, or between web pages, for example. In one embodiment, each user's set top is programmed with channel mapping information that maps each hyperlink request to a particular channel and time where the requested information is being broadcast in a multiplexed information stream. In response to receipt of a hyperlink request from a user actuating a remote control button, mouse or keyboard, the set top tunes to the appropriate one of the downstream channels, and downloads the web page or other information. In one embodiment to facilitate picture-in-picture capability using a single tuner, the tuner in the set top briefly tunes away from the video program to the appropriate data channel for receiving the hyperlink information. After the information associated with the hyperlink is downloaded and stored in the set top, the tuner automatically tunes back to the video program. The user can then interact with the hyperlink content and continue watching TV simultaneously. Alternatively, a scaler application is provided in the headend that reduces the size of the video program or a content related web page, for example, so that they can then be combined at the headend in a picture-in-picture format." Thus Augenbraun et al., is concerned with facilitating hyperlinking by a user from a broadcast television program to a web page(s), and is not concerned with Web browsing without a browser.

In what follows, the office action is apparently attempting to find some words used in both the claims and a cited reference and declaring unambiguous equivalence and anticipation where such an equivalence does not exist. This is employing hindsight in order to reject a claim. This is not permitted. But even with the hindsight it will be shown that the cited reference does not anticipate the presently claimed invention. Independent claims 1, 8 and 16 are amended to better protect the invention.

In regard to claims 1 and 16, Augenbraun discloses a system and method for browsing the Web on the Internet, using a broadcast system as illustrated by Figure 1. The claimed limitation of "a transmitting unit for compressing video data in accordance with a predetermined compression scheme and transmitting the compressed data is met

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by encoder 36 of Figure 2. The claimed limitation of "a receiving unit for receiving and decoding the transmitted video data and transmitting the data to a video display device" is met by Figure 3. The claimed steps of "converting a web page transmitted to the transmitting unit from the Internet into video data", "compressing the video data in accordance with the predetermined compression scheme" and "transmitting the compressed video data" is met by Figure 2. "An Internet session manager 30 is provided which starts the browser applications 28 and a display manager 32. The browser applications 28 and display manager 32 are interfaced to a communications manager 34 to facilitate downloading of the web pages to the system users. A video encoder 36, which may be an MPEG 1 or MPEG 2 encoder, for example, is also preferably provided in the headend 12 for encoding the web page bit map images before they are transmitted by the distribution network 13 to the set tops 14. The encoder 36 is employed to reduce the bandwidth necessary to transmit the data generated by the browser application 28, and to generate, for example, an MPEG standard compliant video stream (Paragraph 0026). The claimed step of "receiving and decoding the transmitted video data using the receiving unit to transmit the data to the video display device is met by Figure 3. "With reference to FIG. 3, the details of one of the set tops 14 are illustrated. A tuner 40 is provided for receiving the digitally encoded or compressed video programming and Internet-based information from the distribution network 13 on each of the downstream channels 16, and selecting the one of the downstream channels 16 from which information will be displayed on the television or monitor 20. From the tuner 40, the selected information passes through a decoder 42 which restores the video programming signals and web page image data to their original form for display on the television or monitor 20" (Paragraph 0031).

In response, the applicants respectfully state that they take exception with the inferred equivalence of claims 1 and 16 and the cited portions of Augenbraun. The combination of steps in claim 1 are such as to permit web browsing without a browser. A browser, short for Web browser, is a software application used to locate and display Web pages. Augenbraun employs a Web browser over and over, referred to in Augenbraun as a browser application, as is described in several places. For example in paragraph [0006, "[T]he cable headend then retrieves the web page from the Internet, or from memory, with an Internet browser application located in the headend, and downloads the web page to the user for viewing. As an example, the user, who may be viewing a television advertisement for a particular product, can thus hyperlink to a web page for that product with this system." This is apparently providing the standard function of a web browser, executed by an MPU. The MPU sends selected information to the transmitting unit via the communication device. The application server receives the selected information from the receiving terminal, and requests the Internet to transfer a web page. When the requested web

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page is transferred from the Internet to the application server, the server sends the web page to the receiving terminal in the same manner as described above. This is not and does not anticipate claim 1.

Claim 1 as amended reads,

A method for browsing the Web on the Internet, comprising using a broadcast system which includes:

a transmitting unit for compressing video data in accordance with a predetermined compression scheme and transmitting the compressed data;

and a receiving unit for receiving and decoding the transmitted video data and directly transmitting the data to a video display device, comprising the steps of:

converting a web page transmitted to the transmitting unit from the Internet into video data;

compressing the video data in accordance with the predetermined compression scheme;

transmitting the compressed video data; and

receiving and decoding the transmitted video data using the receiving unit to directly transmit the decoded data to a video display device, without requiring a browser application.

So claim 1 shows that the decoder decodes the video data and is used for displaying the Web page, without requiring a browser application.

A review of the cited reference indicates that the video encoder 36 of Augenbraun does not perform the function of claim 1's transmitting unit. Augenbraun paragraph 0026, defines encoder 36 as, "[A] video encoder 36, which may be an MPEG 1 or MPEG 2 encoder, for example, is

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also preferably provided in the headend 12 for encoding the web page bit map images before they are transmitted by the distribution network 13 to the set tops 14. The encoder 36 is employed to reduce the bandwidth necessary to transmit the data generated by the browser application 28, and to generate, for example, an MPEG standard compliant video stream." It does not perform the function of, "compressing video data in accordance with a predetermined compression scheme and transmitting the compressed data."

The referenced figures, although alluding to steps of converting, compressing transmitting and receiving, but all these steps are performed requiring a web browser. The actions these do not provide or perform the particular functions of converting, compressing transmitting and receiving as stated in claim 1 above, which when performed in combination as specified perform Web browsing without requiring a web browser [application]. These remarks made for claims 1 are similarly applicable to claims 8 and 16. Thus claims 1, 8 and 16 are is not anticipated by and are allowable over *Augenbraun*.

In regard to claims 2 and 17, the claimed step of providing a link to the video data on the basis of a link provided to the web page and said step of transmitting the compressed video data comprises transmitting the compressed video data and information about the link" are met by the method performed by the web page generator 25 of Figure 2.

"Preferably, additional data is added by the web page generator 25 (or by a remotely located web page generator) to the usual encoded image data to indicate relationships between the channels and which key sequences are to be used to select which channels. This data comprises linkage commands that are used to traverse the broadcast channels by menu instead of by channel, and to hyperlink to web pages from hyperlinks embedded in the broadcast channels. Though similar to tuning to a channel from a set top-resident channel guide, this differs in that the tuning would not be to a channel, but to a content stream and would be more like hyperlinking among web pages" (Paragraph 0024).

In response, applicants respectfully state that the applicants respectfully state that they take exception with the inferred equivalence of claims 2 and 17 and the cited portions of *Augenbraun*. The web page generator 25 of *Augenbraun* Figure 2, and described in paragraph 0024 apparently does not do the steps of claims 2 and 17. As indeed quoted above the web page generator 25 is used to add additional data "to the usual encoded image data to indicate relationships between the channels and which key sequences are to be used to select which channels." The web page generator 25 apparently does not do "converting a web page" which "comprises providing a link

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to the video data on the basis of a link provided to the web page, and said step of transmitting the compressed video data comprises transmitting the compressed video data and information about the link." The web page generator 25 apparently does not do any transmitting. Thus claims 2 and 17 are not anticipated by the cited art. Furthermore, claim 2 is dependent on claim 1, and claim 17 is dependent on claim 16, and are allowable over the cited art in themselves and because each is dependent on an allowable claim.

In regard to claims 3, 9 and 18, the claimed steps of "extracting a web address linked to the link provided to the web page" and "placing the link in the video data on the basis of the position of the link provided to the web page" are met by the method performed by Figures 2-3. "To facilitate insertion of the linkage commands in the HTML web page data, the web page generator is preferably provided with a plug-in referred to as a linkage editor 29. The browser applications 28 are able to accept the linkage commands and generate data in the broadcast stream that would specify to set tops 14 the linkage commands on the current page" (Paragraph 0025). "The terminal processor 44 is interfaced to a channel mapping database 46 that is contained in a memory 48, and stores channel mapping and hyperlink request identification information for any number of user selectable channel hyperlinks or assessable web pages or sites. For example, the user may actuate the hyperlinks button on their remote controller 24 during a news, weather or sports television broadcast, and the terminal processor 44 will access the channel mapping database 46 to identify the hyperlink request, and determine on which of the downstream channels 16, and in which time slot or PID, related Internet based information (e.g., news, weather or sports web site) is being broadcast" (Paragraph 0031). Where the hyperlink information is embedded in the broadcast based being positioned on a webpage.

In response, applicants respectfully state that the applicants respectfully state that they take exception with the inferred equivalence of claims 3, 9, and 18, and the cited portions of Augenbraun. The method performed by Figures 2-3 of Augenbraun, and described in paragraph 0025 and 0031 apparently does not function as or for "extracting a web address linked to the link provided to the web page; and placing the link in the video data on the basis of the position of the link provided to the web page," as in claims 3, 9, and 18. The cited method employs a browser and is concerned with hyperlinks, nor is it concerned with placing any link in the video data on the basis of the position of the link provided to the web page, as in these claims. Thus claims 3, 9, and 18 are not anticipated by the cited art. Furthermore, claim 2 is dependent on claim 1, and claim 9 is dependent on claim 8, and claim 18 is dependent on claim 16, and are allowable over the cited art in themselves and because each is dependent on an allowable claim.

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In regard to claims 4 and 10, the claimed step of "decoding the received data" and "(transmitting the decoded data to the video display device" are met by the method performed by Figure 3. The claimed step of establishing an association between the information about the link provided to the received video data and a position of a cursor in the video data transmitted to the video display device" is also met by Figure 3.

"The terminal processor 44 determines the identity of the hyperlink using the linkage commands that are inserted by the linkage editor 29 at the headend 12. More particularly, an input application 49 is run by the terminal processor 44 that processes inputs received by the input receiver 45 by detecting when either the channel hyperlink button on the keyboard 22 or remote controller 24 has been pressed, or when a hyperlink button on a currently displayed image has been highlighted and selected by the user. Once the hyperlink request and corresponding channel and time slot information have been identified, the terminal processor 44 will then instruct the tuner 40 to switch to the designated channel so that the requested information can be downloaded into the set top 14 for display by a terminal display manager 52 on the users television or monitor 20. A cache 50 can be provided in the memory 48 for pre-storing downloaded information if desired. To facilitate downloading of channel mapping and hyperlink request identification information from the headend 12 to the channel mapping database 46, an out-of-band tuner 54 can be provided that can also be used for transmission of signaling information, as is conventional. Alternatively, the channel mapping and hyperlink request identification information can be downloaded through one of the downstream channels 16 for reception by the in-band tuner 40" (Paragraph 0032). The user selects the highlights and selects the hyperlink of interest. The hyperlinks position is what inherently differentiates one hyperlink from another.

In response, applicants respectfully state that the applicants respectfully state that they take exception with the inferred equivalence of claims 2 and 17 and the cited portions of Augenbraun. The extensive reference above of Augenbraun is apparently not related to or anticipate claims 4 and 10. Augenbraun apparently indeed does not do the steps of claims 4 and 10. Augenbraun is not concerned with any association, a cursor, establishing an association, a position of a cursor, and certainly not with, "establishing an association between the information about the link provided to the received video data and a position of a cursor in the video data transmitted to the video display device, as in claims 4 and 10. The office action is attempting to find some words used in both the claims and a cited reference and declaring an unambiguous equivalence where such an equivalence does not exist. Thus claims 4 and 10 are not anticipated by the cited art. Furthermore, claim 2 is dependent on claim 1, and claim 10 is dependent on claim 8, and are allowable over the cited art in themselves and because each is dependent on an allowable claim.

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In regard to claim 6, the claimed steps of "sending link information to the transmitting unit when any one link provided to the data transmitted to the video display device is selected" and (transmitting a web page linked to the selected link from the Internet to the transmitting unit" is met by Figure 3. (In the case of a two-way system, an upstream transmitter 43 is also provided for transmitting hyperlink requests and other information to the headend 12 via the upstream channel 17" (Paragraph 0030). "The terminal processor 44 determines the identity of the hyperlink using the linkage commands that are inserted by the linkage editor 29 at the headend 12. More particularly, an input application 49 is run by the terminal processor 44 that processes inputs received by the input receiver 45 by detecting when either the channel hyperlink button on the keyboard 22 or remote controller 24 has been pressed, or when a hyperlink button on a currently displayed image has been highlighted and selected by the user. Once the hyperlink request and corresponding channel and time slot information have been identified, the terminal processor 44 will then instruct the tuner 40 to switch to the designated channel so that the requested information can be downloaded into the set top 14 for display by a terminal display manager 52 on the user's television or monitor 20. A cache 50 can be provided in the memory 48 for pre-storing downloaded information if desired. To facilitate downloading of channel mapping and hyperlink request identification information from the headend 12 to the channel mapping database 46, an out-of-band tuner 54 can be provided that can also be used for transmission of signaling information, as is conventional. Alternatively, the channel mapping and hyperlink request identification information can be downloaded through one of the downstream channels 16 for reception by the in-band tuner 40" (Paragraph 0032).

In response, applicants respectfully state that the applicants respectfully state that they take exception with the inferred equivalence of claim 6, and the cited portions of Augenbraun. The extensive reference above of Augenbraun is apparently not related to or anticipate claim 6. It was shown that Augenbraun does not have a unit performing functions of equivalent to the functions of the transmitting unit in claims 1, 4 and 6. Thus Augenbraun does not do the steps of claim 6. Thus claim 6 is not anticipated by the cited art. Furthermore, claim 6 is dependent on claim 4, and claim 4 is dependent on claim 1, and is allowable over the cited art in itself and because it is dependent on an allowable claim.

In regard to claims 7 and 12, the reference discloses that the compression scheme may be MPEG-2 (Paragraph 0026).

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In response, applicants respectfully state that claim 7 provides claim differentiation. Claim 7 is dependent on claim 1, and is allowable over the cited art because it is dependent on an allowable claim.

Claim 8 is met by that discussed for claims 1 and 3.

In response, applicants respectfully state that the applicants respectfully state that the remarks and exceptions with the inferred equivalence of claims 1 and 3 are similarly applicable to claim 8. Thus claim 8 and all claims that depend thereupon are allowable over Augenbraun.

Claim Rejections -35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention not identically disclosed or described as set forth in section 102 of this title, the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patent ability shall not be negative by the manner in which the invention was made.

4. Claims 5, 11, 13-15 and 19-20 are rejected under 35 U.S.C. 103(A) as being unpatentable over Augenbraun et al.

In regard to claims 5 and 11, the reference discloses that the web page is converted to an MPEG-2 stream. An MPEG-2 stream carries both video and audio information. The reference is silent with respect to any voice or sound information associated with the web page being conveyed to the user. Official notice is taken that is notoriously well known in the art to present voice or sound information associated with a web page to a user so as to provide the user with a more fulfilling experience with the web page. Consequently, it would have been obvious to one of ordinary skill in the art to implement the reference with presenting voice or sound information associated with a web page to a user for the stated advantage.

In response, applicants respectfully state that Augenbraun does not make claims 5 and 11 obvious. It was shown above that Augenbraun requires a web browser application whereas claims 5 and 11 do not. If putting voice or sound information associated with a web page would have been advantageously combined with Augenbraun, Augenbraun should have referred to it. This is hindsight. Thus claims 5 and 11 are not made obvious by the cited art. Furthermore,

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claim 5 is dependent on claim 1, and claim 11 is dependent on claim 8, and are allowable over the cited art in themselves and because each is dependent on an allowable claim.

In regard to claims 13-15 and 19-20, the reference is silent with respect to the method and system being embodied by computer readable code or program of instructions. Official notice is taken that is well known in the art to embody methods and system by computer readable code or program of instructions so as to increase efficiency. Consequently, it would have been obvious to one of ordinary skill in the art to implement the reference with embodying the method and system by computer readable code or program of instructions for the stated advantage.

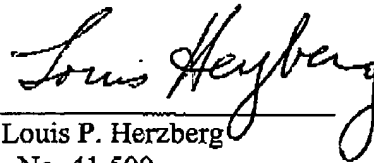
In response, applicants respectfully state that claims 13-15 and 19-20, are Beauregard type claims. These protect the invention from those that make media etc., which provide a user with means to implement the methods and apparatus of the present invention. Although it may indeed be known that media can be provided to perform methods and apparatus, these 'software' type serve a very significant purpose for protecting the invention. Claims 13-15 and 19-20, are each dependent on allowable claims and are allowable over the cited art.

It is anticipated that this response brings all claims 1-20 to allowance. If any questions remain, please call the undersigned representative.

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Respectfully submitted,

By:



Dr. Louis P. Herzberg
Reg. No. 41,500
Voice Tel. (845) 352-3194
Fax. (845) 352-3194

3 Cloverdale Lane
Monsey, NY 10952

Customer Number: 54856

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